

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET., LOUISVILLE, KY

DATE: June 04, 2003

9:30 AM PJ: GUIDUGLI BAKER KNOPF  
 2002CA000701 INSIGHT COMMUNICATIONS COMPANY, LP ET AL. VS CITY OF LOUISVILLE

SUMMARY JUDGMENT IN DECLARATION OF RIGHT ACTION. INSIGHT CLAIMS THAT OTHER FRANCHISEES RECEIVED MORE FAVORABLE TERMS

CIVIL JEFFERSON COUNTY LISABETH HUGHES ABRAM

Appellant Atty:

Appellant Name:

.....  
 BALLINGER, JAMES DAVID

.....  
 INSIGHT COMMUNICATIONS COMPANY, LP

THERIOT, JANICE M.

INSIGHT KENTUCKY PARTNERS II, LP

ZIELKE, LAURENCE

INSIGHT COMMUNICATIONS COMPANY, LP

INSIGHT KENTUCKY PARTNERS II, LP

INSIGHT COMMUNICATIONS COMPANY, LP

INSIGHT KENTUCKY PARTNERS II, LP

Appellee Atty:

Appellee Name:

.....  
 SCHWEICKART, LISA A

.....  
 CITY OF LOUISVILLE

STONE, WILLIAM C.

CITY OF LOUISVILLE

10:15 AM PJ: GUIDUGLI BAKER KNOPF  
 2002CA000977 ELIZABETH BLAIR VS JAMES GREEN

BLAIR APPEALS JURY VERDICT IN MALPRACTICE CLAIM THAT SHE BELIEVES TO BE INADEQUATE (RECEIVED \$4,000 SOUGHT \$5 MILLION) SEVERAL ISSUES: FAILURE TO DIRECT A VERDICT ON NEGLIGENCE; EXCLUSION OF SIMILAR ACTS AND CONDUCT; TRIAL COURT IMPROPERLY LIMITED DISCOVERY; FAILURE TO DIRECT VERDICT AS TO BATTERY CLAIM; AND LACK OF INFORMED CONSENT; JURY INSTRUCTIONS

CIVIL JEFFERSON COUNTY GEOFFREY P MORRIS

Appellant Atty:

Appellant Name:

.....  
 TRAVIS, WILLIAM CLIFTON

.....  
 ELIZABETH L BLAIR

Appellee Atty:

Appellee Name:

.....  
 HALL, STEPHEN C.

.....  
 JAMES W GREEN

KING, W GREGORY

JAMES W GREEN

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET., LOUISVILLE, KY

DATE: June 04, 2003

11:00 AM

PJ: BAKER

GUIDUGLI

KNOPF

2002CA001269

CECIL SEAMAN ET AL. VS ED MUSSLEMAN ET AL.

WHETHER CIRCUIT CT. ERRED BY ENTRY OF PARTIAL SUMMARY JUDGMENT CONCLUDING APPELLANT WAS A PUBLIC FIGURE; WHETHER CIRCUIT CT. ERRED BY CONCLUDING APPELLANT FAILED TO PROVE "ACTUAL MALICE."

CIVIL

FAYETTE COUNTY

LAURANCE B VAN METER

Appellant Atty:

Appellant Name:

.....  
DYKEMAN, WILLIAM A.

.....  
CECIL SEAMAN  
CECIL SEAMAN & CO., LLC

Appellee Atty:

Appellee Name:

.....  
FLEISCHAKER, JON L.  
HELERINGER, ROBERT L  
PACK, ASHLEY CLEEK

.....  
THE KENTUCKY PRESS ASSOCIATION  
ED MUSSLEMAN  
THE KENTUCKY PRESS ASSOCIATION

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 W. JEFFERSON STREET., LOUISVILLE, KY

DATE: June 04, 2003

1:30 PM

PJ: BAKER

GUIDUGLI

KNOPF

2002CA000903

JAMES DAVENPORT ET AL. VS JOE NORSWORTHY ET AL.

2002CA000946

WHETHER ACTION WAS PROPERLY DISMISSED FOR FAILURE TO SERVE A REPRESENTATIVE OF THE CITY OF FRANKFORT

CIVIL

FRANKLIN COUNTY

ROGER L. CRITTENDEN

Appellant Atty:

Appellant Name:

.....  
GRADY, THOMAS J

.....  
ANDREW LEACH  
BRAD GOLD  
DALE PARKINSON  
DANIEL MILLER  
DOUGLAS TAYLER  
EDDIE SLONE  
GREG MOORE  
JAMES DAVENPORT  
JAMS URQUHART  
KYLE SMITH  
MARC WOOD  
MICHAEL MOORE  
MIKE FITZPATRICK  
TERRY WICKMAN  
ANDREW LEACH  
BRAD GOLD  
DALE PARKINSON  
DANIEL MILLER  
DOUGLAS TAYLER  
EDDIE SLONE  
GREG MOORE  
JAMES DAVENPORT  
JAMS URQUHART  
KYLE SMITH  
MARC WOOD  
MICHAEL MOORE  
MIKE FITZPATRICK  
TERRY WICKMAN

STEWART, JOHN FRITH

Appellee Atty:

Appellee Name:

.....  
PARSONS, JOHN D

.....  
APPRENTICESHIP AND TRAINING  
DIVISION OF EMPLOYMENT STANDARDS  
JOE NORSWORTHY  
LABOR CABINET  
CITY OF FRANKFORT

SHELLER, JOHN O

PANEL: NORTH/CENTRAL

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: June 03, 2003

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9:30 AM PJ: PAISLEY COMBS MCANULTY  
2001CA002696 JESSE BAKER VS BOONE COUNTY POLICE MERIT BOARD  
2001CA002736 AMOUNT OF BACK PAY DUE AFTER REINSTATEMENT.

CIVIL BOONE COUNTY JOSEPH F. BAMBERGER

Appellant Atty: Appellant Name:  
.....  
LESTER, CHARLES T. JESSE BAKER

Appellee Atty: Appellee Name:  
.....  
NIENABER, THOMAS R. BOONE COUNTY POLICE MERIT BOARD

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10:15 AM PJ: PAISLEY COMBS MCANULTY  
2002CA000052 MARCUS FRIAR VS COMMONWEALTH OF KENTUCKY  
JUVENILE TRANSFER HEARING-SUFFICIENCY OF EVIDENCE. EXCITED UTTERANCE. EVIDENCE OF PSYCHOLOGICAL IMPACT OF CRIME. INSTRUCTIONS-REASONABLE DOUBT.

CRIMINAL MCCrackEN COUNTY CRAIG Z CLYMER

Appellant Atty: Appellant Name:  
.....  
ARNOLD, TIMOTHY G. MARCUS SHANTEZ FRIAR  
STUTSMAN, DENNIS MARCUS SHANTEZ FRIAR

Appellee Atty: Appellee Name:  
.....  
LONG JR, WILLIAM ROBERT COMMONWEALTH OF KENTUCKY

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11:00 AM PJ: PAISLEY COMBS MCANULTY  
2002CA001239 KENTEC COAL CO., INC. VS COMMONWEALTH OF KENTUCKY  
APPEAL FROM COURT'S UPHOLDING OF RULINGS BY NATURAL RESOURCES CABINET RELATING TO SURFACE MINING.

CIVIL FRANKLIN COUNTY WILLIAM L GRAHAM

Appellant Atty: Appellant Name:  
.....  
DUFF, DONALD KENTEC COAL CO., INC.

Appellee Atty: Appellee Name:  
.....  
CHANDLER III, A. B. COMMONWEALTH OF KENTUCKY  
SMOCK, JENNIFER CABLE COMMONWEALTH OF KENTUCKY

PANEL: NORTH/CENTRAL

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: June 03, 2003

1:30 PM

PJ: MCANULTY

COMBS

MILLER

2002CA000772

KITTY TONKIN VS WOODFORD COUNTY PLANNING AND ZONING COMMISSION ET AL.

CIVIL: DID THE TRIAL COURT PROPERLY APPLY AMERICAN BEAUTY HOMES CORP. TO APPEAL OF ZONING COMMISSION'S ACTION?

CIVIL

WOODFORD COUNTY

ROBERT OVERSTREET

Appellant Atty:

Appellant Name:

.....  
GRADDY, W. HENRY

.....  
KITTY GRADDY TONKIN

Appellee Atty:

Appellee Name:

.....  
BUTLER, TIMOTHY C.  
  
HOSKINS III, WILLIAM A

.....  
RAYMOND STAN KRAMER  
WOODFORD COUNTY PLANNING AND ZONING COMMISSION  
BUDDY JOHNSON  
CARLIE C GILKISON  
GEORGE HOWARD  
HERBERT A GILKISON  
HERMAN PLAYFORTH  
J. D. WOLF  
JENNIFER L DOYLE  
KATHERINE B SARGENT  
MARGARET K BARNETT  
MARY ANN SQUIRES  
PAMELA A JONES  
PATRICK GILKISON  
PATRICK G GILKISON  
ROBERT BLANKENSHIP  
ROBERT JACKSON  
SARAH S GILKISON  
SHIRLEY BICKFORD  
THE ESTATE OF HERBERT GILKISON  
CARLIE C GILKISON  
HERBERT A GILKISON  
JENNIFER L DOYLE  
KATHERINE B SARGENT  
MARGARET K BARNETT  
PAMELA A JONES  
PATRICK GILKISON  
PATRICK G GILKISON  
ROBERT JACKSON  
SARAH S GILKISON  
THE ESTATE OF HERBERT GILKISON

INGLE, JAY E.

PANEL: NORTH/CENTRAL

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: June 03, 2003

2:15 PM

PJ: COMBS

MCANULTY

MILLER

2002CA001086

BUFORD MALCOMB ET AL. VS JAMES MALCOMB

MEDIATION ALLEGEDLY PRODUCING AN AMBIGUOUS SETTLEMENT AGREEMENT HAS RESULTED IN A DISPUTE OVER A PRESCRIPTIVE EASEMENT.

CIVIL

OWEN COUNTY

STEPHEN L BATES

Appellant Atty:

Appellant Name:

.....  
HARNICE, PAUL C.

.....  
BUFORD CARTER MALCOMB  
SHIRLEY MALCOMB

Appellee Atty:

Appellee Name:

.....  
SHEPHERD, JAMES  
SHEPHERD, PHILLIP J

.....  
JAMES C. MALCOMB  
JAMES C. MALCOMB

PANEL: NORTH/CENTRAL

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: June 04, 2003

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9:30 AM PJ: MCANULTY COMBS PAISLEY  
2001CA002461 MARTIN FISTER VS COMMONWEALTH OF KENTUCKY  
CRIMINAL: WHETHER INCONSISTENT VERDICTS IN A BENCH TRIAL ARE UNCONSTITUTIONAL.

CRIMINAL SCOTT COUNTY PAUL F ISAACS

Appellant Atty:

Appellant Name:

.....  
TOBY, MILTON C

.....  
MARTIN D. FISTER

Appellee Atty:

Appellee Name:

.....  
CHANDLER III, A. B.

.....  
COMMONWEALTH OF KENTUCKY

HARNED, MICHAEL L.

.....  
COMMONWEALTH OF KENTUCKY

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10:15 AM PJ: MCANULTY COMBS PAISLEY  
2001CA002669 KYLE STEWART VS SCARLET BURTON  
CHILD SUPPORT AND VISITATION CLAIMED AS ERRONEOUS/ADVANCED APPEAL FROM THE FAYETTE CIRCUIT COURT.

CIVIL FAYETTE COUNTY GARY D PAYNE

Appellant Atty:

Appellant Name:

.....  
HUFF, WINTER R.

.....  
KYLE STEWART

Appellee Atty:

Appellee Name:

.....  
HILL, ELIZABETH ANN

.....  
SCARLET BURTON

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11:00 AM PJ: MCANULTY COMBS PAISLEY  
2002CA001740 NAZARETH HEALTH, INC., D/B/A ST. JOSEPH HOSPITAL VS CAROL ELLINGTON  
PREMISES LIABILITY CASE: SUMMARY JUDGMENT CLAIMED TO BE ERRONEOUSLY ENTERED AGAINST APPELLANT.

CIVIL FAYETTE COUNTY THOMAS L CLARK

Appellant Atty:

Appellant Name:

.....  
BOWERS, BARBARA J  
HERKLOTZ, JOHANN F

.....  
NAZARETH HEALTH, INC., D/B/A ST. JOSEPH HOSPITAL  
NAZARETH HEALTH, INC., D/B/A ST. JOSEPH HOSPITAL

Appellee Atty:

Appellee Name:

.....  
DOUGLASS, SIDNEY B  
GUTHRIE, PAUL

.....  
CAROL ELLINGTON  
CAROL ELLINGTON

PANEL: RESCHEDULED CASES AND MISC OR

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 10, 2003

10:15 AM

PJ: COMBS

GUIDUGLI

SCHRODER

2002CA001461

LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION ET AL. VS WAL-MART STORES, INC.

FAYETTE CIRCUIT COURT REVERSED DECISION OF THE HUMAN RIGHTS COMMISSION. SHOPPER AT WAL-MART HAD FILED CHARGES FOR DISCRIMINATION. CIRCUIT JUDGE REMANDED CASE TO COMMISSION FOR HEARING WHEN WAL- MART HAD FAILED TO APPEAR AT HEARING TO RAISE A DEFENSE.

CIVIL

FAYETTE COUNTY

GARY D PAYNE

Appellant Atty:

Appellant Name:

.....  
DOVE, EDWARD E.

.....  
LEXINGTON-FAYETTE URBAN COUNTY HUMAN RIGHTS COMMISSION  
MELORIS BAKER

Appellee Atty:

Appellee Name:

.....  
MONOHAN, ELIZABETH N  
QUESENBERY, KATHRYN A

.....  
WAL-MART STORES, INC.  
WAL-MART STORES, INC.

\*\*NOTE:CONTINUED FROM MAY

11:00 AM

PJ: GUIDUGLI

COMBS

SCHRODER

2002CA000959

GORDON MILBY VS JEFFERSON COUNTY BOARD OF EDUCATION

WHETHER TRIAL COURT PROPERLY ENTERED A SUMMARY JUDGMENT IN FAVOR OF THE BOARD, HOLDING THAT THE BOARD DID NOT VIOLATE KRS CHAPTER 344 OR DISCRIMINATE AGAINST MILBY

CIVIL

JEFFERSON COUNTY

BARRY WILLETT

Appellant Atty:

Appellant Name:

.....  
COHEN, GLENN ALAN  
EFFINGER, CYNTHIA L.  
HERSHBERG, PAUL J.

.....  
GORDON MILBY  
GORDON MILBY  
GORDON MILBY

Appellee Atty:

Appellee Name:

.....  
HOPSON, EDWIN S  
WYRICK, MITZI D

.....  
JEFFERSON COUNTY BOARD OF EDUCATION  
JEFFERSON COUNTY BOARD OF EDUCATION

\*\*NOTE:CONTINUED FROM MAY

PANEL: RESCHEDULED CASES AND MISC OR

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: June 10, 2003

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2:00 PM

PJ: EMBERTON

SCHRODER

TACKETT

2001CA002201

LATISHA HILL VS BRADLEY REAL ESTATE ET AL.

2001CA002363

SLIP & FALL; DIRECTED VERDICT; OPEN AND OBVIOUS CONDITION; NECESSITY OF EXPERT TO ESTABLISH ORDINARY CARE EVIDENCE; STATUTE OF LIMITATIONS

CIVIL

JEFFERSON COUNTY

F KENNETH CONLIFFE

Appellant Atty:

Appellant Name:

.....  
CLARE, BRIAN E

.....  
LATISHA HILL

Appellee Atty:

Appellee Name:

.....  
BELANGER, LAWRENCE H.  
CARTER, GEORGE R.

.....  
BRADLEY REAL ESTATE  
FLYNN BROTHERS

\*\*NOTE:CONTINUED FROM JUNE 3